



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Employment Security Department

- Preproposal Statement of Inquiry was filed as WSR 16-07-115; or
- Expedited Rule Making--Proposed notice was filed as WSR ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Rules within Title 192 WAC related to the payment of unemployment benefits and employer charging, are amended.

Hearing location(s):

Employment Security Department
Maple Leaf Conference Room, 2nd Floor
212 Maple Park Ave.
Olympia, WA

Date: August 23, 2016 Time: 10:00 a.m.

Date of intended adoption: August 26, 2016
(Note: This is NOT the effective date)

Submit written comments to:

Name: Juanita Myers
Address: Employment Security Department
PO Box 9046, Olympia WA 98507
e-mail jmyers@esd.wa.gov
fax (360) 902-9605 by (date) August 22, 2016

Assistance for persons with disabilities: Contact
Teresa Eckstein, State EO Officer by August 22, 2016
TTY 711 or (360) 902-9354

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The department has developed a new benefit payment system which will allow a number of functions to be performed by claimants online, in addition to telephone or paper. Rules are amended to incorporate these changes. In addition, policy changes which could not be adopted due to the limitations of the legacy computer system, or changes made that are consistent with good public policy, are proposed. See attachment.

Reasons supporting proposal: The proposed rules implement improvements in technology provided by the department's new unemployment benefit computer system that will streamline the application and eligibility determination process for benefits. Claimants and employers will be able to take advantage of eservices offered by the new system. This will reduce the amount of time it will take to make a decision about a claimant's eligibility for benefits. Those allowed will receive payment more quickly. If benefits are denied, appeals can be filed more quickly than today's process.

Other rules are amended to streamline the unemployment insurance program. For example, rules related to filing, backdating, reopening, and canceling claims will provide claimants with consistency in services; under existing rules claimants must establish good cause for a late filing, even if the number of weeks in question is low. Other changes, such as charging a fee for dishonored payments and compounding interest, will add incentives for the repayment of overpayments, benefiting both the unemployment insurance trust fund and the administrative contingency fund.

Statutory authority for adoption: RCW 50.12.010 and 50.12.040

Statute being implemented: Title 50 RCW

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **July 19, 2016**

TIME: **11:33 AM**

WSR **16-15-079**

DATE

NAME (type or print)
Lisa Marsh

SIGNATURE

TITLE Deputy Commissioner

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Employment Security Department

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting.....Juanita Myers	Olympia	(360) 902-9665
Implementation....Neil Gorrell	Olympia	(360) 902-9303
Enforcement..... Neil Gorrell	Olympia	(360) 902-9303

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared. The rules do not impose additional costs on businesses in general, nor on small businesses in particular.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Juanita Myers

Address: Employment Security Department

212 Maple Park Drive / PO Box 9046

Olympia WA 98503

phone (360) 902-9665

fax (360) 902-9605

e-mail jmyers@esd.wa.gov

No: Please explain: